



*John T. Aubberger
Supervisor*

TOWN OF GREECE

PLANNING BOARD MINUTES

APRIL 21, 2010

THE MEETING BEGAN AT 7:00 P.M.

PRESENT

Alvin I. Fisher, Jr., Chairman
Alfred S. Ancello
Christine R. Burke
Stephen M. Savage, P.E.
William E. Selke
Michael H. Sofia
Christopher A. Schiano, Deputy Town Attorney
Scott R. Copey, Clerk of the Planning Board
John Gauthier, P.E., Associate Engineer
Linda R. Lamb, Planning Board Secretary

ABSENT

Grace L. Plouffe

**ADDITIONS, DELETIONS AND CONTINUANCES
TO THE AGENDA**

ANNOUNCEMENTS

Board Training – 5/18/2010 5:30 – 6:30 pm
"Greece Historic Preservation Ordinance and
Commission Overview"

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PUBLIC HEARINGS

Old Business

None

New Business

1. Applicant: North Greece, LLC

Location: North Greece Road and Maple Center

Request: Preliminary plat approval for The Gardens at Fieldstone subdivision, consisting of 54 attached single-family dwelling units in pairs, with a clubhouse and common area on approximately 18.6 acres with related site improvements

Zoning District: RML (Multiple-Family Residential, Low Density)

Mon. Co. Tax No.: 044.02-1-38.1

The following is a synopsis of the discussion pertaining to the above-referenced request:

Richard Giraulo, LaDieu Associates, and Jay Wegman, North Greece, LLC, presented the application.

Mr. Giraulo: The project is different from what you had approved before as the Courtyard Villas at Fieldstone subdivision. The development is south of the existing Fieldstone Villas subdivision. We propose duplex units with full basements. The previous units were slab-on-grade, which requires a significant amount of topsoil and fill to be brought in. We are now going to a product with a basement, which reduces the fill needed to 7000 cubic yards, from 40,000 cubic yards. The storm water management facility is located in the southeast corner of the property. There will be a smaller clubhouse, probably without a pool, to serve these homeowners. There will be a homeowners association (HOA) and a private drive. We have sanitary sewers that run through the property, which will service the new residents. We will be extending the sanitary sewer up to North Greece Road, as requested by the Town's Engineering Division. We anticipate the development to occur in two phases. The first phase will include the clubhouse and storm water management facility. The portion shown as the second phase initially will be used to stockpile soil needed for the project. It is our intent to get soil down early. The new layout is less dense, with more open space and green area. We will be maintaining trees behind the North Greece Road residents. There will be a lot of landscaping on site, which is similar to what is at Fieldstone Villas.

Mr. Fisher: Do you have anything that will show us what the units will look like?

Mr. Wegman: The first rendering shows the front elevation of the clubhouse. It will be smaller in scale than the clubhouse at the Villas at Fieldstone, approximately 300 square feet less. There will not be a pool, but there will be a barbeque and entertaining area in the back. This project emulates our Mill Landing rental project on Mill Road between Long Pond Road and North Avenue. Mill Landing has been a successful rental project, but we do get requests for non-rental units, two-car garages, and basements, so we are trying to fill those needs not currently met by Mill Landing or the Villas at Fieldstone. Additional differences from Mill Landing would be the earth tone color and stacked stone, instead of brick, to add a bit of flair. The second illustration board shows the streetscape looking southwest and showing the clubhouse and first building. We haven't made a final determination on the

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angle of the clubhouse; but based on this streetscape, it is probably the way we will choose to build. The duplexes have basements, two-car, extended garages (25 feet deep), and will have 1500 square feet of living space. We changed from the screen porches that are at Mill Landing to a four-season sunroom here. They will have two bedrooms, with the possibility of using the sunroom as a third bedroom.

Mr. Copey: This is a preliminary plat and therefore was reviewed by the Monroe County Development Review Committee (MCDRC); they had few comments other than the need to verify addresses with Monroe County's 911 Coordinator. The Town's staff also reviewed; they had few comments, although the Fire Marshal noted that the clubhouse has to be fire sprinklered. The plans also must show hydrant locations and locations of raised curbing. The Town's Traffic Advisory Committee noted that the intersection had changed, and recommended two "Stop" signs be erected on Colony at Arboritae to the north and south. Vehicles will stop and yield to traffic at North Greece Road. I had a conversation earlier in the week with Stephanie Voorheis, whose brother lives at 562 North Greece Road, regarding the construction access. Mr. Wegman may have input on the need for and impact on the residents due to the construction access. I have drafted a resolution that is fairly standard for the Board. I left open the issue of construction access so that the Board can address it. We recommend that the Board add a condition that the sanitary sewer be extended westward to North Greece Road.

Mr. Gauthier: We sent some comments to the applicant on April 16. We have not provided a full response at this time. With the addition of basements, we have a concern that the range on soil bore data isn't adequate. We want to make it clear that the basements will be placed above groundwater level; as we move forward, the details surrounding grading will need scrutiny. Do you find our comments acceptable? Are you willing to work with us?

Mr. Giraulo: We will dig additional test holes.

Mr. Wegman: Now that we have a location for the buildings, it makes sense to drill more.

Mr. Giraulo: I want to address the temporary construction access. I've shown on the plans what we would like to do for the short term. Rather than use the existing, paved roadway, Maple Center Drive, we would like to start with a temporary construction entrance of stone to be used for Section 1 only and to get the fill into the site. Once the clubhouse and road are in, the temporary access will be removed.

Stephanie Voorheis, 215 Applegrove Drive: I am here to represent my brother, Craig, who owns 562 North Greece Road. He works nights and therefore was not able to be here tonight. We lived through the first Fieldstone project, which was farther away. Jay Wegman visited me last week and indicated that they wanted the access next to our house. It appears to be about 50 feet from the house. We don't want the noise and dirt again. I don't understand why they have changed the access from Maple Center Drive, which was approved with Courtyard Villas at Fieldstone. How do we know this is temporary and how long is temporary? Mr. Wegman has also promised that our drainage problems would be fixed and nothing has been done in four years. Will the access road be stone? What will be done about the dust? The nearest houses they are building will be 50 feet from our house. However, the main concern is the noise and dust. Why do they have to go so close to the house?

Mr. Fisher: What was our finding with the Courtyard Villas at Fieldstone subdivision approval?

Mr. Copey: The approval stated that construction access had to take place through the existing road, Maple Center Drive.

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Ms. Voorheis: My dad has had two strokes. My brother stays with him at the house during the day and my brother and I go to the house at night to be with him. Unfortunately, it is his bedroom that is right next to the access road.

Mr. Wegman: I did stop over to Ms. Voorheis' house and we didn't get to finish the conversation because she was upset. I wanted to explain some remedies that we had in mind for this temporary access. We intend to plant a buffer of pine trees between the temporary access road and the house. The plan currently shows three trees but we will do what is necessary. It is a tough situation. If we went in through Maple Center Drive, there would be 92 families impacted. We went for the most economical route with the least impact to the most people. Unfortunately Ms. Voorheis' family would be affected by this, and I'm sorry for that. I've met with many of the people who would be affected by this. I'm open to suggestions. As far as the drainage goes, I do not want to get into an argument. That property was always wet; my development didn't create that problem. Ms. Voorheis thinks that it did; I don't think so. The bottom line is that we want to address the drainage issue. We know that there is ponding in her rear yard. We are working with the Town of Greece and will try to minimize any impact to Ms. Voorheis' family. If access were to go through Maple Center Drive, the homes there would be just as affected. We are looking for a decision.

Mr. Fisher: My opinion is that we visited the construction access at the last construction proposal. If anything, this would require less truck traffic because of less fill going in. I haven't heard anything tonight that would change my opinion on the construction access going over Maple Center Drive. Our concern previously was the negative impact on Ms. Voorheis' family's home.

Mr. Selke: You would be moving a lot of dirt around on the site, correct? I remember when you did the development on Mill Road. We took measures for the benefit of residents there.

Mr. Wegman: I disagree because Ms. Voorheis is representing one house. There are still 92 other homeowners who will be impacted by this construction. Maple Center Drive is a working road. Most of the homeowners are 65 and older and using this working road. We are trying to move everything away for their safety. The majority of the materials and construction vehicles will occur in the first nine months. The turn into the site will be tough for trucks to make. It would require ongoing maintenance on a working road. I do feel sorry for Ms. Voorheis, but it is better to affect one person on a separate road than all the residents on Maple Center Drive.

Mr. Selke: What would be the length of the construction road? Safety is an issue we need to look at. Has there been input from the Town's Traffic Advisory Committee (TAC)?

Mr. Giraulo: You are looking 80 to 90 feet.

Mr. Copey: The TAC did not look at this.

Mr. Wegman: There is not a perfect answer; I'm just going with my experience.

Mr. Selke: Will Phase 2 have as much truck traffic? Could we condition approval on length of time that a temporary road can be in use?

Mr. Wegman: Most of the heavy equipment will come in through Phase 1. There still will be deliveries of construction materials (e.g., trusses, etc.) in Phase 2. I would be okay with placing a time limit on use of the temporary road. All of the fill will come in during Phase 1.

Mr. Savage: Can you estimate the number of truck deliveries a day?

Mr. Wegman: I'm not sure.

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Ms. Voorheis: We lived through the first development. You have sympathy for the residents on Maple Center Drive, but we already have lived through this once. When Mr. Wegman visited last week, he indicated that he had a petition signed by 90 residents at Maple Center Drive, which was very upsetting to me. We shouldn't have to go through this again when this time they have the option to enter through Maple Center Drive.

Mr. Gauthier: I'm reluctant to say the developer is solely responsible for drainage problems on your property. The developer has agreed to take proactive steps in the initial phase to address your drainage problems. He will put in place permanent measures to help alleviate your problems. We need to take the drainage off the Board's shoulders; it will be addressed. The challenge is for the Board to weigh the pros and cons and come up with a solution to the construction access.

Ms. Voorheis: Is there a town code that states how far the road must be from the house?

Mr. Fisher: As part of our approval, we can specify.

Linda Lederhouse, 566 North Greece Road: I live right next to the Voorheis family. The road will not impact me as much. I do not understand why the road location changed from the previous approval. They haven't had any problems using Maple Center Drive to haul off top soil over many months. I don't think having two roads side by side does anything for safety. We need to stay with the current access, only one access, through Maple Center Drive.

Edward Monaghan, 65 Maple Center Drive: I'm concerned about the hazardous conditions that exist at Latta Road and North Greece Road and the impact from this new development. We have Northwood School, Grace and Truth Sports Park, Camp Northpoint, Fieldstone Estates (consisting of approximately 70 homes), Fieldstone Villas, and Madison Place (with 54 units). In the area, we also have the fire department entrance, Lakeshore Community Church, and Little League fields/complex. Has there ever been a traffic study done of the intersection or can one be done?

Mr. Fisher: We have not done a traffic study. There is a level you have to reach to trigger a study. Normally with residential development, you don't reach those levels.

Mr. Gauthier: Each of these incremental developments didn't meet the requirement for a traffic study.

Mr. Copey: There was a study done for Fieldstone Villas.

Mr. Monaghan: Do we have any idea of the number of traffic accidents at this intersection? It is a dangerous intersection and we are adding more traffic to it. How is the property under discussion tonight zoned? Is the property bordering it zoned the same way?

Mr. Copey: Tonight's project is all zoned multiple-family, low density. The undeveloped, adjoining parcel is zoned multiple-family, high density.

Mr. Monaghan: Is any property under discussion scheduled for anything other than single-family density housing?

Mr. Copey: It is not scheduled for anything, but is zoned for multiple-family, which permits apartments and possibly multiple-story buildings.

Mr. Monaghan: Does the property under discussion or the bordering property have frontage on Latta Road at 3490 and 3508 Latta Road: Has consideration been given to accessing these properties from this area? It seems that it would resolve a lot of problems with the neighbors and would alleviate congestion at the intersection.

Mr. Copey: Yes, there is Latta Road frontage. Access from that point at some time hasn't been ruled out. Notice on the plans that there is a stub road connection to the adjoining

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land to the east, which eventually could connect to Latta Road. However, it remains to be seen as to whether they ever would connect for a full road or just for emergency access.

Mr. Monaghan: Have there been any changes in the zoning in the area been published for residents' consideration? Are residents notified of these changes? It seems to have been a blanket change.

Mr. Copey: In 2003, there was a town-wide rezoning to implement recommendations in the 2001 Town Master Plan. There was town-wide notification in the form of news articles, legal notices, and a public hearing at Apollo Middle School.

Mr. Monaghan: I'm concerned about single-family development suddenly changing to multiple-story dwellings. I'd like to go on the record suggesting that approval be tabled until all questions are answered and all traffic and safety concerns are addressed, including concerns at the Latta Road-North Greece Road intersection.

Mr. Fisher: Have you considered Latta Road access?

Mr. Wegman: You would have the same problem with the neighbors on Latta Road. It would be a long run into our new development and would cost more money to access from there. We currently have no plans for development of that area. The reason for the stub road on the plans is that the Town's Fire Marshal requested it. I agree with Mr. Monaghan that the Latta Road-North Greece Road intersection is terrible and will go on record stating that the intersection needs improvement.

Mr. Selke: If you were to install a construction access road from Latta Road, I'd be concerned that it would become a cut-through to North Greece Road. The intersection does need looking at. How would that work get triggered?

Mr. Gauthier: When someone has a development large enough to warrant an investigation. All of these developments have been well below the threshold. The construction of the North Greece Fire District firehouse near the southwest corner of Latta Road and North Greece Road didn't even get reviewed by the Planning Board because they are exempt under the town's zoning ordinance. When the state or county department of transportation reviews a project, the question asked is, does it decrease the level of service? If it is determined that a project increases the amount of time for movement through an intersection, mitigation measures would be investigated. The most likely way that something would be done is if an intersection had a high number of reported accidents. I would have to believe that that isn't happening, or the subject would have come up already.

Mr. Selke: You are saying that the departments of transportation don't look at accumulated traffic from developments?

Mr. Gauthier: If we had two developments come in at the same time, they both might be required to submit a traffic study for review. The Town doesn't have jurisdiction over these county and state highways.

Mr. Monaghan: We should be concerned because it affects us. Mr. Wegman's statement about the Latta Road neighbors being affected doesn't work for me because there is an adequate area between those homes to build what I'd like to see. I'm talking about a permanent access road to the area being built – not a temporary access – to move some of the traffic away from the intersection.

Rosemary Gruttadauria, 31 Maple Center Drive: My unit is in a group that has two front and two rear units. My unit faces south. According to the plans, two of the new units will be located behind me. However, that is my front door. There is greenery and bushes there currently and I'd like it to stay there so that I don't have to look at the rear of these new buildings. Will that greenery remain?

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Mr. Giraulo: The woods currently there are going to be removed. We cannot develop and fill while leaving the vegetation there. Our landscaping plan calls for four evergreens as a buffer between your unit and the new development.

Mr. Fisher: They need to remove most of the trees on the site to be developed for grading.

Ms. Gruttadauria: I'm concerned about the types of trees because the deer eat everything.

Mr. Giraulo: It will be a mixture of blue spruce and white spruce, and is part of the landscape plan, which we can share with you.

Mr. Fisher: The tree type and height are specified by our landscape guidelines. They have to be a minimum of five feet high.

Ms. Gruttadauria: To the east of me, there also are woods.

Mr. Fisher: To the east, there are no current plans for development, so that will remain as is for now. When they have plans to develop, there will be neighborhood notification similar to what you received for this project.

Cathy Senkler, 29 Maple Center Drive: I moved to the Villas at Fieldstone in July from Dutchess County, and the zoning issues there are the same as here. Luckily, I'm not impacted by this change. My issue is not site, it is sight. For Ms. Voorheis, who has both issues, perhaps an accommodation could be made to place pine trees as a border. White pines are not deer-resistant. Does *landscaping* mean aesthetics or a border? I also wanted to know who owned what road. When was the traffic study that you mentioned performed?

Mr. Fisher: For the landscaping details, you'd have to look at the landscape plans. However, the developer has indicated that it would be similar to where you live now. Maple Center Drive is a private road; your HOA is responsible for it. North Greece Road is a county highway and Latta Road is a state highway.

Mr. Copey: The traffic study was done in advance of Madison Place and Fieldstone Villas in 2004.

Ms. Senkler: What is the chance of the County expanding North Greece Road to two lanes in each direction and improving the intersection? Does Greece have a town highway supervisor?

Mr. Copey: I had an informal conversation with the Monroe County Department of Transportation (MCDOT) about North Greece Road a few years ago, and the changes that you asked about are not planned for anytime in the near future.

Mr. Fisher: The Town has a Commissioner of the Department of Public Works.

Mr. Sofia: The biggest impression made on me is, the construction road having an impact on the fewest number of people. We often have construction entrances for development, including one created at the Town Hall site. We try to move construction traffic away from normal traffic. Construction roads do reduce impact on residents. I believe that separating the construction access makes sense and will improve safety. I don't know if the difference in distance from the Voorheis house would make the noise more bearable. I would suggest to the developer that they put something in place that reduces dust. Is stone better than pavement? What about watering the construction entrance to control dust? I would offer up a suggestion to the developer to add buffering to for the neighbor that would be permanent. It would help during construction and be an enhancement long-term.

Mr. Savage: I agree with Mr. Sofia's comments and suggestions.

Mr. Ancello: I suggest, additionally, a fence with landscaping.

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Ms. Burke: Would a berm with trees on top be a possibility? Would there be construction traffic on Saturdays?

Mr. Fisher: That would be good because trees would be smaller initially and the fence might add more buffer. A berm would have an immediate effect, also.

Mr. Wegman: There would be work on a Saturday, if need be.

Mr. Selke: Not just noise and dirt should be mentioned; these trucks vibrate the ground.

Mr. Fisher: You need a separation at the road so that you don't put one road next to the other. The Voorheis house is located further back. You could place the access road at an angle so that it was farther away from the house as it got closer to the main part of the house. Where the temporary access road might have been 40 feet away from the house, it could be 80 feet away when it got even with the house.

Mr. Selke: They all are going to be impacted. Could we set a time limit on the use of a temporary access road? Additional buffering certainly would help.

Mr. Wegman: I would be willing to work with Ms. Voorheis to come up with some species of trees as a permanent buffer. I would be willing to plant eight-foot-high trees if that was needed. I think that a fence is an eyesore, but I'm willing to talk about it.

Mr. Fisher: Can you move the eastern part of the road farther to the north?

Mr. Wegman: I think that we can.

Mr. Sofia: Even if you did a portion of fence nearest to the Voorheis home, it might help.

Mr. Wegman: I'm open to discussions. I would hate to hold up approval for these discussions.

Mr. Fisher: We need to see something for our approval. The neighbors also would like to see something.

Mr. Wegman: You're suggesting pushing this off to another meeting to determine fence or species of natural plantings. I don't think that's reason to hold it up.

Mr. Copey: I understand what the Chairman is saying about wanting to see details of the buffering. However, if the Board told the applicant specifics of, for example, height and length and placement of a fence, or height and number and type and placement of trees, that would be easy enough for the staff to follow up on.

Ms. Voorheis: I'm not the homeowner. I can't make the decision of fence vs. trees for my brother. I also can't call him at work.

Mr. Copey: The Board shouldn't leave the decision entirely up to the neighbor.

Mr. Gauthier: A tree is still about 90% air; it would buffer views. A fence would obscure views, but could reverberate the sound of the trucks. From an engineering standpoint, a relatively high berm that is vegetated would minimize views and minimize noise to the resident. This is a temporary situation.

Mr. Copey: I worry about the space that a berm would take up and its effect on drainage.

Mr. Gauthier: If you pulled the access away in the vicinity of the Voorheis house, you would have room for a landscaped berm. A landscaped berm would absorb the truck sound in a superior manner to anything else offered.

Mr. Wegman: I agree with John. We will take care of the drainage issues and place the berm there.

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Mr. Fisher: The Board could add a condition that moved a temporary construction access road to the north as far as possible, adding a sloped, seeded dirt pile temporarily, and provide a date by which the construction access no longer will be used.

Mr. Wegman: I want to be closing on house sales in November. If that were the case, the temporary access road would be long gone by then.

Mr. Selke: The Town's staff will follow up to make sure that all the conditions of approval will be met?

Mr. Copey: Is it the Board's requirement that the developer move the proposed temporary construction access road as far north as possible (taking truck turning radii into consideration), have a dirt pile that complies with all the erosion control rules, with this road and dirt pile to remain for nine months after the pre-construction meeting?

Mr. Savage: In nine months, it will be December. They are going to remove the temporary construction access road and restore that area in December? Maybe the Board just should require the developer to stop use of the road by that date and extend the restoration time frame to spring.

Mr. Copey: The Board could require that when road and dirt were removed, the developer would have to comply with the permanent landscaping requirements. All of these details could be finalized when the developer came back to the Board with the final plat for the first section. On the final plat for the first section, the landscaping and phasing plans would show this.

David Vaccaro, 5 Maple Center Drive: I keep hearing the Board mention nine months, and that the developer will use the temporary construction access road for Phase 1. What will be used for other phases? Would the big trucks be coming up Maple Center Drive in subsequent phases?

Mr. Fisher: The largest volume of heavy equipment will be used in the initial phase.

Mr. Gauthier: Phase 1 is when they bring in sewer pipe, fill, and all the heavy equipment. After that, home construction will continue, but with a lesser amount of heavy trucks. In the scenario that the Board is discussing, vehicles would use Maple Center Drive in the phases that would come after Phase 1.

Mr. Fisher: The Board has another shot at this issue as part of the final plat for Section 1. We are talking about requiring the developer to provide road location and landscaping at that time.

Mr. Selke: Will you be taking topsoil off-site and selling it, as you did previously?

Mr. Wegman: Yes, there will be topsoil to take away.

Mr. Selke: Will the clubhouse be used as a sales office? You will need parking.

Mr. Wegman: Sales hours during construction are generally by appointment only. I'll be back for final plat approval before that and start pre-sale.

Mr. Selke: What will the HOA include?

Mr. Wegman: Road maintenance, trash pick-up, landscaping; everything that normally is included. Drive through any of our projects and you will see that we always put up more landscaping.

Mr. Selke: Did I hear it said that the two "Stop" signs will be at the main road?

Mr. Giraulo: We have placed "Stop" signs where the Town's Traffic Advisory Committee told us to put them.

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Mr. Selke: You talked about drainage. What triggers a requirement for a sump pump? Please provide more information about lighting on the site. Think about ground lighting at intersections.

Mr. Gauthier: I'm comfortable that they have agreed to have the remaining drainage details resolved by the time that the final plat for Section 1 before the Board for approval. The basements will be above the groundwater table and the floodplain. There is no requirement for a sump pump in the Town's subdivision specifications. That is something within the Building Department.

Mr. Giraulo: The lighting will be similar to that on Maple Center Drive, with lampposts.

Mr. Selke: What do you estimate the parking demand to be at each unit? What about parties?

Mr. Giraulo: These are empty nesters, so we estimate one or two cars per unit.

Mr. Wegman: Visitor parking spaces are available, but I'll be honest with you, they park on the street. My experience is that visitors don't walk from the visitor parking areas. When residents have a party, mostly they go to the clubhouse for that.

John VanNorman, 77 Maple Center Drive: I have a concern about the interpretation of a four-way stop. The existing road has two "Stop" signs. The new road being put in was to have two "Stop" signs on the roads as they come to Maple Center Drive. That's not a four-way stop.

Mr. Fisher: You are right. There are two "Stop" signs – one on either road coming in to Maple Center Drive. I misspoke earlier.

Sheila Widenmyer, 33 Maple Center Drive: You talked a lot about the safety of the residents. I'm very concerned about a new road right next to our access and visibility being an issue.

Mr. Fisher: There will be a separation between the temporary construction access road and the paved road.

Ms. Widenmyer: So you are not concerned about visibility when we are trying to make a left turn out onto North Greece Road?

Mr. Schiano: They didn't say that. What they have said is they are trying to minimize the impacts as opposed having construction vehicles on your main working road. There will always be danger somewhere but the Board is trying to minimize as much as possible.

Ms. Gruttadauria: I'm confused. Are you delaying this approval?

Mr. Fisher: There are various steps in the approval process. The current application before the Board is for approval of the preliminary plat, which is for the overall street and lot layout. Usually, construction occurs in sections, maybe a dozen or so homes; the developer has to obtain approval of the final plat for each section. They will provide more detail at that approval step. They will provide landscaping, names of roads, house numbering. Each section will get its own final plat approval before they can begin construction.

Ms. Gruttadauria: Will you have more of these types of hearings?

Mr. Copey: There will be a legal notice published in the *Greece Post* and there will be one of these hearings for each section. You can watch the newspaper for the legal notice, check the agendas on our website, or even give me a call every couple of weeks and I'll keep you updated.

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Motion by Mr. Sofia, seconded by Mr. Selke:

WHEREAS, North Greece LLC (the "Applicant") has submitted a proposal to the Town of Greece Planning Board (the "Planning Board") for approval of the preliminary plat for the Gardens At Fieldstone subdivision, as more fully described in the minutes of this public meeting (the "Proposal"), relative to property located at North Greece Road and Maple Center Drive (the "Premises"); and

WHEREAS, the Planning Board makes the following findings:

1. Upon review of the Proposal, the Planning Board determined that the Proposal is subject to the State Environmental Quality Review Act (New York State Environmental Conservation Law, Article 8) and its implementing regulations (6 NYCRR Part 617 *et seq.*, the "SEQRA Regulations") (collectively, "SEQRA"), and that the Proposal constitutes an Unlisted action under SEQRA.
2. The Planning Board has considered the Proposal at a public meeting (the "Meeting") in the Greece Town Hall, 1 Vince Tofany Boulevard, at which time all persons and organizations in interest were heard.
3. Documentary, testimonial, and other evidence were presented at the Meeting relative to the Proposal for the Planning Board's consideration.
4. The Planning Board carefully has considered an Environmental Assessment Form and supplementary information prepared by the Applicant and the Applicant's representatives, including but not limited to supplemental maps, drawings, descriptions, analyses, reports, and reviews (collectively, the "Environmental Analysis").
5. The Planning Board carefully has considered additional information and comments that resulted from telephone conversations, meetings, or written correspondence from or with the Applicant and the Applicant's representatives.
6. The Planning Board carefully has considered information, recommendations, and comments that resulted from telephone conversations, meetings, or written correspondence from or with various involved and interested agencies, including but not limited to the Monroe County Department of Planning and Development, the Monroe County Department of Environmental Services, the Town of Greece Environmental Board, and the Town's own staff.
7. The Planning Board carefully has considered information, recommendations, and comments that resulted from telephone conversations, meetings, or written correspondence from or with nearby property owners, and all other comments submitted to the Planning Board as of this date.
8. The Environmental Analysis examined the relevant issues associated with the Proposal.
9. The Planning Board has met the procedural and substantive requirements of SEQRA.
10. The Planning Board carefully has considered each and every criterion for determining the potential significance of the Proposal upon the environment, as set forth in SEQRA.
11. The Planning Board carefully has considered (that is, has taken the required "hard look" at) the Proposal and the relevant environmental impacts, facts, and conclusions disclosed in the Environmental Analysis.
12. The Planning Board concurs with the information and conclusions contained in the Environmental Analysis.

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13. The Planning Board has made a careful, independent review of the Proposal and the Planning Board's determination is rational and supported by substantial evidence, as set forth herein.
14. To the maximum extent practicable, potential adverse environmental effects revealed in the environmental review process will be minimized or avoided by the incorporation of mitigation measures that were identified as practicable.

NOW, THEREFORE, be it

RESOLVED that, pursuant to SEQRA, based on the aforementioned information, documentation, testimony, and findings, and after examining the relevant issues, the Planning Board's own initial concerns, and all relevant issues raised and recommendations offered by involved and interested agencies and the Town's own staff, the Planning Board determines that the Proposal will not have a significant adverse impact on the environment, which constitutes a negative declaration.

VOTE:	Ancello	- yes	Savage	- yes
	Burke	- yes	Selke	- yes
	Plouffe	- absent	Sofia	- yes
			Fisher	- yes

MOTION CARRIED
SEQRA DETERMINATION
NEGATIVE DECLARATION

Mr. Sofia then made the following motion, seconded by Mr. Selke to approve the Proposal, subject to the following conditions:

1. The Applicant shall develop the Premises in conformity with all details of the Proposal as presented in the written descriptions and site development plans, as orally presented to the Planning Board, and as set forth herein. In the event of any conflict among the oral or written descriptions of the proposal, the site development plans of the proposal, or the requirements or restrictions of this resolution, the Applicant agrees that the Planning Board shall determine the resolution of such dispute.
2. Buildings shall conform to the elevations and locations shown on the approved subdivision or grading plans. At any time prior to the issuance of a certificate of occupancy, the Town may require certification of the location and elevation of the top of block of a basement or cellar. Certification of the as-built location shall be in the form of an instrument location map prepared by a licensed land surveyor. Certification of the as-built elevation, in relation to the vertical datum shown on the approved plans, may be in the form of either a survey note on the instrument location map, or an elevation certification form or separate letter prepared by a licensed land surveyor or licensed professional engineer. A note that indicates this requirement shall be added to the plat.
3. No approval signatures shall be provided for any final plats in this subdivision unless and until the preliminary plat receives all necessary approval signatures.
4. The Town's *2001 Community Master Plan Update* (Clough, Harbour & Associates, September 2001) contains current and projected population growth; an inventory and analysis of public, private, and semi-private recreation facilities, both active and

PLANNING BOARD MINUTES
APRIL 21, 2010

passive; and recommendations for future actions. Based on this document, the Planning Board finds that the Town currently needs, or will need, additional park and recreation space in the vicinity of the Proposal. The Planning Board further finds that development of this subdivision will contribute to the demand for additional park and recreation space, and that this subdivision provides no suitable park or recreation land to address such current or future need. Therefore, pursuant to New York State Town Law, Section 277, payment of the Town's recreation fee shall be required for each building lot in this subdivision, payable to the Town upon the issuance of the original building permit for each house. A note that indicates this requirement shall be added to the plat.

5. No building permits shall be issued unless and until the Applicant executes an agreement for maintenance of the proposed storm water management pond. Such agreement shall be subject to approval by the Planning Board's Attorney and the Commissioner of Public Works.
6. Drainage easements shall be provided over the proposed storm water management facilities, and any streams, wetlands, or flood zone areas on the site. Such easements shall be shown on the plat, site plan, utility, and grading sheets. The final boundaries and terms of such easements shall be subject to approval by the Planning Board's Attorney, and the Commissioner of Public Works.
7. No final approval signature shall be placed on the plans unless and until the appropriate easement documents have been prepared and provided to the Town for review.
8. No building permits shall be issued for any of the lots in this subdivision unless and until the appropriate easement documents, including all necessary map references, have been filed in the Office of the Monroe County Clerk. The Liber and Page of easement filing shall be referenced on final as-built record drawings provided to the Town.
9. Upon completion of construction of the storm water management pond, the Applicant shall provide certification that such pond was constructed as designed and approved. Such certification shall be provided in the form of an as-built topographic survey with pertinent utility structures shown, prepared by a New York State Licensed Land Surveyor. No final approval signatures shall be placed on the site plan unless and until the Applicant has submitted to the Town a financial guarantee (such as a letter of credit, certified check, or other acceptable instrument), in an amount approved by the Town's Commissioner of Public Works and the Town Attorney, that is sufficient to properly construct the proposed pond, and to provide the aforementioned certification. No release of such financial guarantee shall be made unless and until the improvements and certification are completed to the satisfaction of the Town's Commissioner of Public Works and the Town Attorney.
10. No building permits shall be issued for any of the lots in this subdivision unless and until a digital copy of the plans has been submitted. All sheets in the drawing set, with all necessary signatures and the Liber and Page at which this final plat is recorded in the Office of the Monroe County Clerk, shall be provided in Tagged Image File (".TIF") format at a minimum resolution of 400 dpi.
11. Subject to approval by the Town's Chief Engineer and Commissioner of Public Works.
12. Wherever this resolution refers to a specific applicant, developer, operator, or property owner, it shall be construed to include successors and assigns.
13. Wherever this resolution refers to a specific public official or agency, it shall be construed to include successors and assigns.

PLANNING BOARD MINUTES

APRIL 21, 2010

14. Wherever this resolution refers to a specific law, ordinance, code, rule, or regulation, it shall be construed to include any succeeding or superseding authority.
15. The sanitary sewer and an appropriate easement to the Town of Greece to facilitate public access to said sanitary sewer shall be extended westward up to the North Greece Road right-of-way. The location and details of said sanitary sewer and easement shall be subject to approval by the Town's Commissioner of Public Works, Chief Engineer, and the Town Attorney.
16. Additional test holes shall be provided as part of the design drawings for Section 1, as directed by the Town's Chief Engineer.
17. As offered and agreed by the Applicant, the proposed temporary construction access road (the "Access Road") or portions thereof shall be placed as far north as deemed practicable by the Town's Commissioner of Public Works and Chief Engineer, taking into consideration the limitations on placement of the Access Road. In order to provide adequate buffering for the neighbor immediately to the south of the Access Road (at 562 North Greece Road), soil shall be piled and shaped into a berm at a minimum height of six (6) feet, to act as a buffer from the Access Road. Said buffering shall be in place as long as the Access Road remains in place, and for not less than the full duration of initial grading and earthwork, as determined by the Town's Commissioner of Public Works and Chief Engineer. Plans showing the Access Road and associated buffering, as well as the final grading and landscape treatment for the area, shall be included in the plans for Section 1 of this subdivision and shall be subject to approval by the Planning Board.
18. Drainage improvements in the vicinity of 562 North Greece Road shall be completed in the first phase of development, and as soon as deemed practicable by the Town's Commissioner of Public Works and Chief Engineer after the commencement of construction.

VOTE:	Ancello	- yes	Savage	- yes
	Burke	- yes	Selke	- yes
	Plouffe	- absent	Sofia	- yes
			Fisher	- yes

MOTION CARRIED
APPLICATION APPROVED
WITH CONDITIONS

PLANNING BOARD MINUTES
APRIL 21, 2010

2. Applicant: Alaimo Enterprises, Ltd.

Location: Janes Road
Request: Final plat approval for the Legends West subdivision, Section 5, consisting of 12 lots on approximately 4.76 acres
Zoning District: R1-12 (Single-Family Residential)
Mon. Co. Tax No.: 045.02-1-1.103

The following is a synopsis of the discussion pertaining to the above-referenced request:

Richard Giraulo, of LaDieu Associates, presented the application.

Mr. Giraulo: The applicant is returning for another section of the Images West subdivision. Section 5 will consist of 12 lots on Emery Run. We initially submitted a larger section, with a connection to Belmore Way. However, the banks have become restrictive and are requiring smaller sections.

Mr. Copey: As a final plat, the application was not referred to the Monroe County Department of Planning and Development. We constantly are looking at addresses for corner lots in subdivisions. Which street does the house face? Historically, we have assigned two addresses, such as "123 White Street/789 Black Street." When the Assessor's Office establishes the tax account for a new corner lot, they pick one of the addresses. When they pick an address, there could be a situation in which there is one address listed in the real property data and the other address in use by the homeowner and the U.S. Postal Service; in such situations, it becomes difficult for emergency responders to find the house. We have begun to involve the Fire Marshal more in assigning the address.

Mr. Giraulo: The house address for the corner of Barclay Court and Emery Run (Lot 504) will be 255 Emery Run, as agreed to by the Fire Marshal.

Mr. Gauthier: We have no major issues; and as long as the applicant is agreeable to making the necessary engineering changes per our comments, we are all set.

Mr. Giraulo: We are okay with your changes.

Motion by Mr. Selke, seconded by Mr. Sofia:

The environmental review was completed pursuant to the State Environmental Quality Review Act (New York State Environmental Conservation Law, Article 8) and its implementing regulations (NYCRR Part 617 *et seq.*, the "SEQRA Regulations") (collectively, "SEQRA") when the preliminary plat was approved by the Planning Board, at which time the Proposal was classified as an Unlisted action. The final plat is consistent with the preliminary plat. Therefore, SEQRA requires no further environmental review by the Planning Board.

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APRIL 21, 2010

VOTE:	Ancello	- yes	Savage	- yes
	Burke	- yes	Selke	- yes
	Plouffe	- absent	Sofia	- yes
			Fisher	- yes

MOTION CARRIED
SEQRA DETERMINATION
NEGATIVE DECLARATION

Mr. Selke then made the following motion, seconded by Mr. Sofia, to approve the Proposal, subject to the following conditions:

1. The Applicant shall develop the Premises in conformity with all details of the Proposal as presented in the written descriptions and site development plans, as orally presented to the Planning Board, and as set forth herein. In the event of any conflict among the oral or written descriptions of the proposal, the site development plans of the proposal, or the requirements or restrictions of this resolution, the Applicant agrees that the Planning Board shall determine the resolution of such dispute.
2. Buildings shall conform to the elevations and locations shown on the approved subdivision or grading plans. At any time prior to the issuance of a certificate of occupancy, the Town may require certification of the location and elevation of the top of block of a basement or cellar. Certification of the as-built location shall be in the form of an instrument location map prepared by a licensed land surveyor. Certification of the as-built elevation, in relation to the vertical datum shown on the approved plans, may be in the form of either a survey note on the instrument location map, or an elevation certification form or separate letter prepared by a licensed land surveyor or licensed professional engineer. A note that indicates this requirement shall be added to the plat.
3. The Town's *2001 Community Master Plan Update* (Clough, Harbour & Associates, September 2001) contains current and projected population growth; an inventory and analysis of public, private, and semi-private recreation facilities, both active and passive; and recommendations for future actions. Based on this document, the Planning Board finds that the Town currently needs, or will need, additional park and recreation space in the vicinity of the Proposal. The Planning Board further finds that development of this subdivision will contribute to the demand for additional park and recreation space, and that this subdivision provides no suitable park or recreation land to address such current or future need. Therefore, pursuant to New York State Town Law, Section 277, payment of the Town's recreation fee shall be required for each building lot in this subdivision, payable to the Town upon the issuance of the original building permit for each house. A note that indicates this requirement shall be added to the plat.
4. No building permits shall be issued for any of the lots in this subdivision unless and until this final plat has been recorded in the Office of the Monroe County Clerk. The Liber and Page at which this final plat is recorded in the Office of the Monroe County Clerk shall be indicated on the approved, signed copies of this final plat that are submitted to the Town. A note that indicates this requirement shall be added to the plat.

PLANNING BOARD MINUTES

APRIL 21, 2010

5. No final approval signature shall be placed on the plans unless and until the appropriate easement documents have been prepared and provided to the Town for review.
6. No building permits shall be issued for any of the lots in this subdivision unless and until the appropriate easement documents, including all necessary map references, have been filed in the Office of the Monroe County Clerk. The Liber and Page of easement filing shall be referenced on final as-built record drawings provided to the Town.
7. No building permits shall be issued for any of the lots in this subdivision unless and until a digital copy of the plans has been submitted. All sheets in the drawing set, with all necessary signatures and the Liber and Page at which this final plat is recorded in the Office of the Monroe County Clerk, shall be provided in Tagged Image File (".TIF") format at a minimum resolution of 400 dpi.
8. Subject to approval by the Town's Chief Engineer and Commissioner of Public Works.
9. Wherever this resolution refers to a specific applicant, developer, operator, or property owner, it shall be construed to include successors and assigns.
10. Wherever this resolution refers to a specific public official or agency, it shall be construed to include successors and assigns.
11. Wherever this resolution refers to a specific law, ordinance, code, rule, or regulation, it shall be construed to include any succeeding or superseding authority.

VOTE:

Ancello - yes
Burke - yes
Plouffe - absent

Savage - yes
Selke - yes
Sofia - yes
Fisher - yes

MOTION CARRIED
APPLICATION APPROVED
WITH CONDITIONS

PLANNING BOARD MINUTES
APRIL 21, 2010

SITE PLAN REVIEW

Old Business

1. Applicant: Benderson Development Company, LLC

Location: 3188-3196 Latta Road (near northwest corner of Latta Road and Long Pond Road)

Request: Site plan approval for a proposed retail/restaurant plaza (54,322± square feet), with related parking, utilities, grading, and landscaping on approximately 9.487 acres

Zoning District: BR (Business Restricted)

Mon. Co. Tax No.: 045.03-1-9 and -10

Motion by Ms. Burke, seconded by Mr. Savage, to continue this application until the May 5, 2010, Planning Board meeting, as requested by the applicant.

VOTE:	Ancello	- yes	Savage	- yes
	Burke	- yes	Selke	- yes
	Plouffe	- absent	Sofia	- yes
			Fisher	- yes

MOTION CARRIED
APPLICATION CONTINUED
UNTIL May 5, 2010, MEETING

PLANNING BOARD MINUTES
APRIL 21, 2010

New Business

None

SPECIAL PLANNING TOPIC

1. Applicant: Ron Bartlett

Location: 2598 English Road

Request: Two 90-day extensions of the October 21, 2009 minor subdivision approval for six (6) single-family residential lots on the north side of English Road between Long Pond Road and North Greece Road on approximately 5.5 acres with existing utilities and a private road.

Zoning District: R1-18 (Single-Family Residential)

Mon. Co. Tax No.: 058.02-1-11.1

Motion by Mr. Savage, seconded by Mr. Sofia, to grant two 90-day extensions.

VOTE:	Ancello	- yes	Savage	- yes
	Burke	- yes	Selke	- yes
	Plouffe	- absent	Sofia	- yes
			Fisher	- yes

**TWO 90-DAY
EXTENSIONS GRANTED**

PLANNING BOARD MINUTES
APRIL 21, 2010

2. Applicant: Unity Health System

Location: 1555 Long Pond Road
Request: Review of site plan changes
Zoning District: CHC (Central Health Care)
Mon. Co. Tax No.: 089.01-1-6.1;-7;-8.111;-8.112;-8.113: 089.03-1-2.113;-2.114;
-2.115; -2.21; -3.1;-3.2

The following is a synopsis of the discussion pertaining to the above-referenced request:

Richard Giraulo, of LaDieu Associates, presented the application.

Mr. Giraulo: We are here to request minor site plan changes to the exterior part of the campus. Right now, the Long Pond Road frontage of the campus is fairly low, with a drainage swale. We propose a six-foot-high, graded, landscaped berm along Long Pond Road between the north and south access driveways for the campus.

Mr. Fisher: The construction parking will be further south on the site?

Mr. Giraulo: No; the parking stays where it is shown. The other change that we propose is to add more construction parking behind the Chemical Dependency Center, on the south side of the building. We want to make sure that construction vehicles do not use visitor or patient parking. Also, the berm will have a gentle slope of 1:10; it will appear as a nice, rolling hill with landscape.

Mr. Fisher: Unless someone here has some objection, the change appears to be acceptable.

Motion by Selke, seconded by Burke, to approve the site plan modifications

VOTE:	Ancello	- yes	Savage	- yes
	Burke	- yes	Selke	- yes
	Plouffe	- absent	Sofia	- yes
			Fisher	- yes

SITE PLAN MODIFICATIONS
APPROVED

PLANNING BOARD MINUTES

APRIL 21, 2010

APPROVAL OF PLANNING BOARD MEETING MINUTES

Motion by Mr. Selke, seconded by Ms. Burke, to approve the minutes of the March 17, 2010, Planning Board Meeting.

VOTE:	Ancello	- yes	Savage	- yes
	Burke	- yes	Selke	- yes
	Plouffe	- absent	Sofia	- yes
			Fisher	- yes

MOTION CARRIED
MARCH 17, 2010
MINUTES APPROVED

ADJOURNMENT: 9:30 p.m.

Signed: _____

Date: _____